

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

03 NOV 25 AM 8:28

U.S. DISTRICT COURT
N.D. OF ALABAMA

BYRON C. TUBBS,)
Petitioner,)
v.) CIVIL ACTION NO. 02-G-2229-W
WARDEN BULLARD and BILL)
PRYOR, ATTORNEY GENERAL)
FOR THE STATE OF ALABAMA,)
Respondents.)

ENTERED

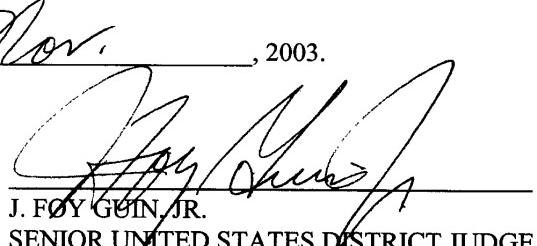
NOV 25 2003

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed with prejudice.

An appropriate order will be entered.

DONE, this 24th day of Nov., 2003.


J. FOY GUIN, JR.
SENIOR UNITED STATES DISTRICT JUDGE

27